

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:22-cv-00624-WCM

LISA RENE MOOD,

Plaintiff,

v.

COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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ORDER

This matter is before the Court on a Stipulation for an Award of Attorney's Fees Under the Equal Access to Justice Act, which the Court has construed as a motion for attorney's fees (the "Motion," Doc. 17).

The Motion indicates that Plaintiff seeks \$4,300.00 in fees, and that "the parties have agreed to stipulate to an award of \$4,300.00 in attorney fees under the EAJA as reasonable in this case." Doc. 17.

The parties' effort to reach an agreement regarding a stipulated award is noted. However, Plaintiff's counsel has not submitted a summary of time spent on this case or other supporting documents that reveal the hours of attorney work that have been expended. This information is required and is needed for the Court to determine whether it agrees that the stipulated sum is reasonable. See Stephens ex rel. R.E. v. Astrue, 565 F.3d 131, 135 (4th Cir.

2009) (“Before awarding attorney’s fees, the EAJA requires the ‘party seeking an award of fees’ to ‘submit to the court an application,’ which must include ‘an itemized statement from any attorney ... stating the actual time expended and the rate at which fees and other expenses were computed.’”) (quoting 28 U.S.C. § 2412(d)(1)(B)); Biddy v. Kijakazi, No. 3:21-cv-00533-MR, 2023 WL 4462057 at *2 (W.D.N.C. July 11, 2023) (“The fee applicant bears the burden of demonstrating that the number of hours charged is reasonable.”).

IT IS THEREFORE ORDERED THAT the request for an award of fees, as described in the Stipulation for an Award of Attorney’s Fees Under the Equal Access to Justice Act (Doc. 17), is **DENIED WITHOUT PREJUDICE**.

Signed: March 8, 2024



W. Carleton Metcalf
United States Magistrate Judge

